



Town of Tyngsborough
Zoning Board of Appeals
Town Hall-25 Bryants Lane
Tyngsborough, MA 01879-1003
(978) 649-2300, Ext. 115

TYNGSBOROUGH ZONING BOARD OF APPEALS MINUTES

December 10, 2015

APPROVED

Attachments:

1. Meeting Agenda
2. 111 & 115 Middlesex Rd. Landscape Plan – 12/7/15
3. 111 & 115 Middlesex Rd. Site Development Plans – Revised 10/27/15
4. Land Engineering & Environmental Services letter regarding 111 & 115 Middlesex Rd. – 12/3/15
5. 111 & 115 Middlesex Rd. Detail Sheet Plan – Revised 12/3/15
6. 111 & 115 Middlesex Rd. Lighting Photometric Plan – 12/1/15
7. PSC Peer Rvw. Report for 125-135 Middlesex Rd. & 111,115 Middlesex Rd. – 12/8/15
8. Tyngsborough Fire Dept. Comments – 12/7/15
9. Draft Tyng Village Condominium Declaration of Trust and By-Laws

Members Present: Joe Polin, Chairman
Robb Kydd
Adriana Gioumbakis
Chaz Doughty
Harvey Miller
Pamela Berman, Administrative Assistant

6:30pm Meeting was called to order by Chairman J. Polin

Hearing #1

111 & 115 Middlesex Rd. - Request by Middlesex Land Holdings, LLC & Tyngsboro Crossing, LLC, applicant for a Comprehensive Permit pursuant to Chapter 40B of the Massachusetts General Law, and the Tyngsborough Zoning By-Laws Section 1.13.23 for the development of 120 townhouse style duplex units in 60 buildings on 14.1 acres of land, to be known as “Tyngsborough Crossing”. *Advertised in the Lowell Sun Thursday August 27, 2015 and Thursday September 3, 2015.* **Continued from November 12, 2015.**

Atty. Melissa Robbins, engineer Doug Lees, landscape architect Lorrayne Black, and applicants Dennis Page and Dave Trahan appeared. Landscape architect summarized the proposed landscape and planting plan which will comprise of flowering trees, bushes, and various perennial and annual plants spread among the development. In addition, there will be an irrigation system that will feed the entire development.

The lighting plan, snow storage, and mailbox/bus stop areas were discussed. Board engineer Dave Sanderson reviewed the plans and summarized his report, noting that there only remains a few minor issues relative to the water, Conservation filings, and lighting. The Board requested that the trees planned for the area between unit #120 be moved to allow for snow storage. In addition, they wanted to see the lighting at units #73 & 87 shifted back a bit. These revisions will be made in time for the next meeting.

R. Kydd: Motion to continue this hearing until January 14, 2016.

H. Miller: 2nd the motion

In Favor: 5 Opposed: 0

Passes: 5-0

Hearing #2

125-135 Middlesex Rd. – Request by Middlesex Land Holdings, LLC & Tyngsboro Crossing, LLC, applicant for the modification to the approved “Tyngsborough Crossing” (to now be known as Merrimac Commons) Comprehensive Permit, dated February 25, 2015 to convert 60 homeownership units to rental units. **Continued from November 12, 2015.**

Atty. Robbins stated that the applicant would have no objections to extending the statutory allowed time to render a decision for this project.

R. Kydd: Motion to continue this hearing until January 14, 2016.

H. Miller: 2nd the motion

In Favor: 5 Opposed: 0

Passes: 5-0

ENGINEER REPORTS

Tyng Village: No new reports

ADMINISTRATIVE

Minutes

C. Doughty: Motion to approve the minutes as written for October 8, 2015.

A. Giombakis: 2nd the motion

In Favor: 5 Opposed: 0

Passes: 5-0

A. Giombakis: Motion to approve the minutes as written for November 12, 2015.

R. Kydd: 2nd the motion

In Favor: 5 Opposed: 0

Passes: 5-0

Old Business/New Business

Tyng Village Condo documents: These documents are necessary in order for the applicant to establish the condominium association as required by the Comprehensive Permit. The requested changes were made.

C. Doughty: Motion to accept the Tyng Village Condominium Declaration of Trust and By-Laws.

A. Gioubakis: 2nd the motion

In Favor: 5 Opposed: 0

Passes: 5-0

7:45pm

C. Doughty: Motion to adjourn

R. Kydd: 2nd the motion

In Favor: 5 Opposed: 0

Passes: 5-0

Minutes respectfully submitted by
Pamela Berman, ZBA Administrative Assistant